

**From:** Merle S. Insinga  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I do not believe that the proposed settlement of the antitrust case against Microsoft is adequate.

Any penalty that is imposed on Microsoft must punish it for the illegal actions of which they were convicted, restore competition in the desktop operating system market, and prevent Windows XP or other new Microsoft products from using illegal means to continue to protect their monopoly and extend that monopoly to new markets. I do not see how this weak settlement will accomplish those requirements.

For example, while the settlement would force Microsoft to describe and license its APIs to competitors, it allows Microsoft itself to define what organizations qualify as competitors. Most importantly, it allows them to exclude non-profit or government organizations from receiving this information. By their own admission, they consider Linux and other open-source software to be a threat, so they would surely use this loophole to prevent this threat from getting this information and using it to make inroads against their monopoly.

That is just one example of the many flaws in this proposed settlement. This proposed settlement must be replaced with a far, far stronger one that meets the requirements mentioned above and will have some real effect in the marketplace.

Thank you.

Sincerely,

Merle S. Insinga  
New Hampshire